Before the
Federal Communications Commission

Washington, D.C. 20554

In the Matter of	)	
	)	
Creation of a Low Power Radio Service	)	File No. 99-25
	)	
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Creation of a Low Power Radio Service

In reference to the following matters concerning the LPFM broadcasting service, we would most respectfully submit the following comments and suggestions that we feel will make the LPFM broadcasting service more viable as a means of providing a real and true service to their communities:

Upgrade service to 250 watts for new and existing LPFM Stations and Consideration of a waiver system to allow second adjacent waiver filings where a fully spaced LPFM is not available:

The idea of affording an across the board upgrade to 250 watts to any and all LPFM stations who can show (with the properly prepared engineering exhibits) that their stations would meet all technical requirements is a wonderful idea! In fact, such an upgrade to 250 watts as a complete "blanket approach" would make several additional changes - which can benefit everyone - possible. For instance, translators have enjoyed 250 watts as a "power ceiling" for years with no ill effects. Why should LPFM broadcasters not enjoy these very same benefits? (Has anyone yet been able to actually submit a technical showing that demonstrates programming originating from some great distance causes less interference than that produced by locally originated programming?)

Translators also already enjoy contour-based spacing, second adjacency waivers and a virtually unlimited antenna height above average terrain while LPFM's are limited to 100 watts and an extremely over-protective "minimal spacing" requirements that by far exceed the protections required for even full-power broadcasters. Again, I ask: "Has anyone yet been able to actually submit a technical showing

that demonstrates programming originating from some great distance causes less interference than that produced by locally originated programming?" LPFM's should be awarded the same benefits that translators have now enjoyed (and used successfully for decades, now) by being allowed contour-based spacing, the same antenna height above average terrain and 250 watts as a power-ceiling. In fact, if the true interests were in "service to the local community", I would suggest that a proposed locally programmed LPFM should be given a preference to any translator applications proposing to rebroadcast any signal that is not locally originated as it should naturally follow that a locally originated signal would, by it's very nature, provide a service to the local community whereas a remotely originated signal will do just exactly as the description implies and relay a remotely originated signal into the local area while preventing the inception of a true local signal.

Removal of LP-10 CLass - replacing with LP-250 Class:

This matter can be greatly simplified by allowing LPFM broadcasters to utilize the same contour-based spacing model as translators. Under this model, there would be but a single class of station: LPFM. This class can include LPFM stations of from as little as 1 watt to as much as 250 watts or any level between the two. This model has been used successfully in the allocating of translators for years now and can be used just as successfully (and easily) with virtually no "re-tooling" at the commission. It is a simple "tried and true" method that has been shown to work.

Removal of I .F. Channel Minimum Distance Separation Requirements:

Plain and simple is the fact that modern receivers make this requirement (with transmitter power levels of less than 500 watts) unnecessary unless the receiver is very close to (within 100 feet or less) one of the transmitters. This requirement should, in our opinion, be stricken from the rules.

Requirement That Applicant Be Community-Based:

After more than ten years of working with applicants and potential applicants, we find that the current requirement for an applicant to be based (or to have a percentage of board members reside) within 10 miles of a proposed transmitter site is somewhat more restrictive than is required and would suggest that a less restrictive distance, such as 20 miles, would result in a much more "workable" solution. We have seen some potential applicants "walk away" from providing a valuable community

service simply because there is no suitable transmitter site within 10 miles but, at 12 or even 14 miles, there may be several suitable locations.

Eligibility of Native Nations:

Absolutely Native Nations should be afforded every right to (and encouraged to pursue) LPFM allocations! LPFM stations operated by Native Nations will provide a vital link to the people in the communities they serve by relaying information that clearly is not already available via already existing services!

Cross-Ownership (LPFM stations / Translator Stations):

The ability to own and operate translators can indeed be a vital means of LPFM stations reaching a local audience that is in need of receiving the information being broadcast. As an example, on the Gulf Coast we have hurricane evacuations quite regularly. One single LPFM station might be able to reach evacuees (while en-route to safety) for as long as 20 minutes with a message that can require 30 or more minutes to deliver whereas the same station (by and through translators) can deliver the entire message while the vehicle is passing through multiple signals provided through it's translators which can also be used as a "linked" warning system - through EAS - as a means of initiating the evacuation in the first place.

Various changes to the Point System & Eligibility:

We see nothing at all that is inherently wrong with the Point System as it now stands. It works.

Third-Adjacent Channel Interference Complaints and Remediation:

Why not, as suggested above, use current translator rules? They've worked for decades and can indeed be seen as "tried and tested".

LPFM Interference Protection and Remediation Requirements:

Again, why not, as suggested above, use current translator rules? They've worked for decades and can indeed be seen as "tried and tested".

Procedures for handling interference to translators by LPFM:

Yet again, why not, as suggested above, use current translator rules? They've worked for decades and can indeed be seen as "tried and tested".